

RESOLUTION TO SURRENDER CHARTER OF MEMPHIS CITY SCHOOLS

WHEREAS, the 1869 Tennessee Private Acts Chapter 30 established the Board of Education of the Memphis City Schools and placed the exclusive management and control of the school district known as Memphis City Schools with this body politic; and

WHEREAS, this school district known as Memphis City Schools has its boundaries coterminous to the boundaries of the City of Memphis and is responsible for providing the public primary and secondary education of residents of Memphis; and

WHEREAS, residents of the City of Memphis are also residents of the county of Shelby, who have never relinquished their county residency and its elected officials represent over 70% of the residents of Shelby County, Tennessee; and

WHEREAS, residents of Memphis, who are also residents of the county, are largely responsible for the growth of the population of Shelby County beyond the city limits of Memphis through property taxes that financed the infrastructure investments made, not limited to services provided by the Memphis Light, Gas, and Water Division of the City of Memphis; and

WHEREAS, residents of Shelby County, Tennessee, collectively fund education for children enrolled in Memphis City Schools and Shelby County Schools; and

WHEREAS, the infrastructure investments made by residents of the City of Memphis has resulted in 49% of the total residential appraised property values of Shelby County being located beyond the city limits of Memphis; and

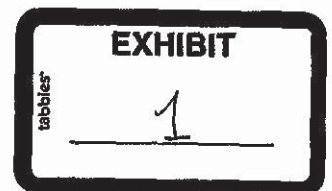
WHEREAS, Memphis City Schools and Shelby County Schools commissioned a study conducted by the University of Memphis to determine the impact of Shelby County Schools obtaining special school district status; and

WHEREAS, said study concluded that special school district status for Shelby County Schools would result in an increased tax burden for residents of Memphis, the majority of residents of Shelby County, because $\frac{1}{2}$ of the residential appraised property of the county that provides resources to all children receiving public education would no longer be available for funding for children for children that live in the city limits of Memphis; and

WHEREAS, the loss of $\frac{1}{2}$ of the residential appraised property for funding would cause irreparable harm, threaten the existence of Memphis City Schools and its ability to continue as a going concern.

THEREFORE BE IT RESOLVED THAT, the Board of Commissioners of the Board of Education of Memphis City Schools surrenders its charter as authorized by 1961 Tennessee Private Acts Chapter 375.

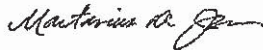
BE IT FURTHER RESOLVED THAT, the Memphis City Schools Board of Commissioners hereby request that the Shelby County Commissioners of Elections conduct a referendum that



transfers the administration of Memphis City Schools to the Shelby County Board of Education as required by Tennessee Code Annotated Section 49-2-502 to take place at the same time as any future election is conducted by the Shelby County Election Commission or as provided by state law, whichever occurs sooner.

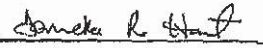
BE IT FURTHER RESOLVED THAT, the Board of Commissioners of Memphis Schools authorizes the use of unrestricted fund balance to conduct said referendum.

Respectfully submitted by:



Martavius D. Jones
District 4

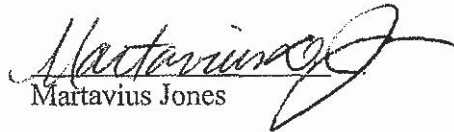
Seconded by:



Tomeka R. Hart
District 7

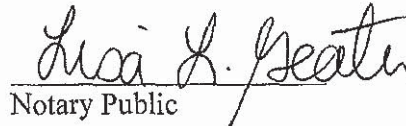
Certificate

The undersigned does hereby certify that I am a duly elected member of the Board of Education of the Memphis City Schools and that the attached resolution is a true and exact copy of a resolution duly adopted by a majority vote of the Board of Education of the Memphis City Schools on the date it bears at which a quorum was continuously present.


Martavius Jones

Date: February 10, 2011

Sworn to and subscribed before me, a notary public in and for Shelby County, Tennessee, on this the 10th day of February, 2011.


Notary Public

